



PUBLIC NOTICE

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Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

DA 03-3156
October 9, 2003

WIRELESS TELECOMMUNICATIONS BUREAU ACTION

COMMENTS INVITED ON NEW YORK METROPOLITAN AREA (REGION 8) (800 MHz) PUBLIC SAFETY REGIONAL PLAN AMENDMENT (Gen. Docket No. 88-476)

Comment Date: November 10, 2003 Reply Date: November 25, 2003

On August 18, 2003, the Region 8 (New York Metropolitan area)¹ Public Safety Regional Planning Committee submitted a proposed amendment to its Public Safety Plan that would revise the current channel allotments to reflect changes made as a result of Region 8 Filing Window 7.²

The requested amendment proposes modification of the Region's frequency allocation tables to provide new assignments (see Region 8's proposed "WINDOW 7 CHANNEL ALLOCATIONS," attached as Appendix 1) for Westport Police Department, Connecticut; the Port Authority of New York and New Jersey; New Jersey Highway Authority, New Jersey; and Statewide Wireless Network, New York. Region 8 has imposed operational limitations in order to add these proposed allotments. Letters of concurrence have been received from each of the three adjacent regions; Region 30 (New York - Albany),³ Region 28 (Philadelphia Metropolitan Area),⁴ and Region 19 (New England Area).⁵

¹ Region 8 includes Southwestern Connecticut, Southern New York and Northeastern New Jersey.

² See *Letter* from Vincent R. Style, Corresponding Secretary, FCC Region 8 RPC (By direction of Paul Einreinhofer, Chairman) to Marlene H. Dortch, Secretary, FCC, filed Aug. 18, 2003. On Sept. 15, 2003, Region 8 notified the WTB that Peter W. Meade, Nassau County Fire Commissioner, was elected as Region 8 Chairman at the Sept. 10, 2003 RPC meeting.

³ Region 30 includes New York – Albany area.

⁴ Region 28 includes Eastern Pennsylvania, Southern New Jersey and Delaware.

⁵ Region 19 includes Connecticut (except Fairfield, Litchfield, New Haven and Middlesex counties), Maine, New Hampshire, Rhode Island and Vermont. The initial letter of concurrence (LOC) from Region 19 contained

In accordance with the National Public Safety Plan, each region is responsible for planning its

use of public safety radio frequency spectrum in the 821-824/866-869 MHz bands.⁶ The Region 8 Plan, which was originally adopted by the Commission on May 12, 1989,⁷ has been amended several times in the last fourteen years.⁸

The Commission is soliciting comments from the public before taking action on this proposed plan amendment. Interested parties may file comments on the Region 8 Plan Amendment Request on or before November 10, 2003. Parties interested in submitting reply comments must do so on or before November 25, 2003. All comments should reference General Docket No. 88-476, including the DA number of this Public Notice, and should be filed with the Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., TW-325, Washington, D.C. 20554. A copy of each filing should be sent to (1) Qualex International, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, (202) 863-2893; and (2) Joy Alford, Federal Communications Commission, Wireless Telecommunications Bureau, Public Safety and Private Wireless Division, Policy and Rules Branch, 445 12th Street, S.W., 4-B411, Washington, D.C. 20554; and (3) Maria Ringold, Federal Communications Commission, Consumer Information Bureau, Reference Information Center, 445 12th Street, S.W. Room CY-B529, Washington, D.C. 20554.⁹

Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message, "get form <your e-mail address>." A sample form and directions will be sent in reply.

The full text of the Region 8 Plan Amendment Request, comments and reply comments will be available for inspection and duplications during regular business hours in the Reference

stipulations which, in effect, voided the Region 19 LOC. Region 19 submitted a new LOC, dated Sept. 15, 2003, which provides the full concurrence of Region 19 with the Region 8 proposed amendment.

⁶ See Development and Implementation of a Public Safety National Plan and Amendment to Part 90 to Establish Service Rules and Technical Standards for Use of the 821-824/766-869 MHz Bands by the Public Safety Services, *Report and Order*, General Docket No. 87-112, 3 FCC Rcd 905 (1987).

⁷ See New York Metropolitan Area Region 8 Public Safety Plan, *Order*, General Docket No. 88-476, 4 FCC Rcd 4457 (1989).

⁸ The New York Metropolitan Area Public Safety Regional Plan (Region 8) was subsequently revised on December 4, 1990, 5 FCC Rcd 7417 (1990), September 26, 1994, 9 FCC Rcd 5724 (1994), November 28, 1994, 9 FCC Rcd 7341 (1994), March 22, 1995, 10 FCC Rcd 3398, March 17, 1997 (Report No. WT 97-12), and June 18, 2002, 17 FCC Rcd 11246 (2002).

⁹ The address for FCC locations should be used only for documents filed by United States Postal Service. Documents delivered by Federal Express or any other express mail service should be addressed to the relevant person or office at the Federal Communications Commission, 9300 East Hampton Drive, Capitol Heights, MD 20743. Hand-delivered or messenger-delivered documents are accepted only at our new location at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. See FCC Announces a New Filing Location for Paper Documents and a New Fax Number for General Correspondence, *Public Notice*, 16 FCC Rcd 22165 (2001).

Information Center (RIC) of the Consumer Information Bureau, Federal Communications Commission, 445 12th Street, S.W., CY-A257, Washington, D.C. 20554. Copies may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, S.W. Room CY-B402, Washington, D.C. 20554, (202)-863-2893, facsimile (202) 863-2898, or via-e-mail qualexint@aol.com. For further information regarding the public reference file for this Request, contact Maria Ringold, Chief, Wireless Branch, RIC, (202) 418-1355.

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For further information, contact Ms. Joy Alford, of the Policy and Rules Branch of the Public Safety and Private Wireless Division of the Wireless Telecommunications Bureau at (202) 418-0694, TTY (202) 418-7233, or via e-mail to joy.alford@fcc.gov.

By the Deputy Chief, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau.

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